

HONORABLE MARSHA J. PECHMAN

JUDGE DJ

FILED ENTERED

LODGED RECEIVED

MAR 11 2004 DJ

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

04-CV-00289-DECL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SKY MORTGAGE, INC., a Washington corporation,

) No. C04 0289P

Plaintiff,

DECLARATION OF GREG SCHMIDT

v.

SKY BANK, INC., a Washington corporation,
SCOTT RERUCHA, TONY ICASIANO, and
JEFFERY LOW, individuals,

Defendants.

I, Greg Schmidt, do declare under penalty of perjury that the following is true and accurate to the best of my knowledge:

1. I am an individual resident of the State of Washington, and am competent to attest to the facts in this Declaration.

2. I am a title representative in Bellevue, Washington. I know Scott Rerucha in connection with my business as a title representative. I also know Kevin MacPherson and Jeff Tisdale at Sky Mortgage.

3. I recall having a conversation with Scott Rerucha, in which he told me that he was planning to form a bank called Sky Bank. During this conversation, I informed him that there already was a mortgage company called Sky Mortgage. In response, Scott said

DECLARATION OF GREG SCHMIDT - 1

Case No. C04-0289P
120024.0001/1085476.1

LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000

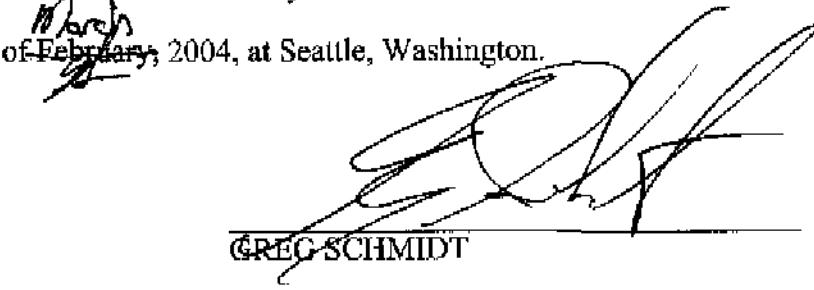
ORIGINAL

1 something about the people at Sky Mortgage coming to work for Sky Bank. He also said he
2 hadn't finalized the name yet.

3 4. I do not recall the exact date of this conversation, but I recall that it took place
4 within a month of the time that Scott Rerucha left Bay Bank.

5 DATED this 11 day of ~~February~~^{March}, 2004, at Seattle, Washington.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26



GREG SCHMIDT

DECLARATION OF GREG SCHMIDT - 2

Case No. C04-0289P
120024.0001/1085476.1

LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000